

RESOLUTION NO. A-_____

1 WHEREAS, the Administrative Final Plat of Braun Addition has been
2 submitted to the City of Lincoln for approval by the Planning Director; and

3 WHEREAS, the Planning Director's conditions of approval of said
4 Administrative Final Plat include the requirements that the subdivider install water
5 mains, dedicate additional right-of-way to meet the required 30-foot right-of-way width
6 from the centerline of West Stockwell Street, and that each lot have a maximum lot
7 depth of three times its width within said Administrative Final Plat; and

8 WHEREAS, the subdivider has requested a modification to waive said
9 requirements pursuant to § 26.31.010 of the Lincoln Municipal Code; and

10 WHEREAS, the Planning Commission has reviewed said request and has
11 made recommendations thereon; and

12 WHEREAS, the City Council finds that the strict application of all require-
13 ments would result in actual difficulties or substantial hardship or injustice to the
14 property owner.

15 NOW, THEREFORE, BE IT RESOLVED by the City of Lincoln, Nebraska:

16 1. The requirement of Section 26.27.030 of the Lincoln Municipal Code that
17 a water distribution system be constructed to serve the final plat is waived until such
18 time as any lot within the subdivision is further subdivided.

19 2. The requirement of Section 26.23.040 of the Lincoln Municipal Code that
20 the width of all streets shall conform to the widths prescribed in Table 26.23.040(b) is

1 hereby waived until such time as West Stockwell Street is improved; provided the
2 subdivider enters into a subdivision agreement with the City of Lincoln whereby
3 subdivider agrees to dedicate, at no cost to the City, the additional 30 feet of right-of-
4 way to meet the required 30-foot of right-of-way width from the centerline of West
5 Stockwell Street when it is improved.

6 BE IT FURTHER RESOLVED that nothing herein shall be construed to
7 preclude the City Council from ordering the construction of said water distribution
8 system in said location at any time in the future upon proper notice to the owner, his
9 successors or assigns.

10 All other conditions for approval of the Administrative Final Plat of Braun
11 Addition shall remain in full force and effect.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2003:

Mayor